

Christopher R. Harris
Direct Dial: 1.212.906.1880
Christopher.Harris@lw.com

1271 Avenue of the Americas
New York, New York 10020-1401
Tel: +1.212.906.1200 Fax: +1.212.751.4864
www.lw.com

LATHAM & WATKINS LLP

FIRM / AFFILIATE OFFICES

| | |
|--------------|------------------|
| Austin | Moscow |
| Beijing | Munich |
| Boston | New York |
| Brussels | Orange County |
| Century City | Paris |
| Chicago | Riyadh |
| Dubai | San Diego |
| Düsseldorf | San Francisco |
| Frankfurt | Seoul |
| Hamburg | Shanghai |
| Hong Kong | Silicon Valley |
| Houston | Singapore |
| London | Tel Aviv |
| Los Angeles | Tokyo |
| Madrid | Washington, D.C. |
| Milan | |

June 23, 2022

VIA ECF

The Honorable Gabriel W. Gorenstein
United States Magistrate Judge
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: Schansman et al. v. Sberbank of Russia PJSC et al., Case No. 19-cv-2985-ALC-GWG; VTB Bank PJSC's Letter Requesting Extension of Time for New Counsel to File Notice of Appearance

Dear Judge Gorenstein:

On behalf of Defendant VTB Bank (PJSC) ("VTB"), we write with respect to the deadline for VTB's new counsel to enter its appearance. On June 2, 2022, VTB requested an extension of that deadline until June 15, 2022. (Dkt No. 342). In its request, VTB noted that it had recently come to an agreement-in-principle with Marc Agnifilio and Zach Intrater of Brafman & Associates P.C. ("Brafman"), but the logistics of finalizing that engagement were taking longer than anticipated due to the Russia-related sanctions regime in the United States. (*Id.*). The Court granted that request on June 3, 2022. (Dkt No. 350).

On June 15, 2022, VTB requested a second extension to allow Brafman to navigate the restrictions that its financial institution had imposed on payment from Russia. (Dkt. No. 358). On June 16, 2022, the Court granted that request for an extension until June 23, 2022, and stated that "[t]here will be no further extensions absent a sworn statement from someone with personal knowledge that provides a daily log of the efforts made by that individual starting on June 16, 2022, to arrange for a new attorney to file a notice of appearance." (Dkt. No. 360).

As detailed in the attached declaration, VTB and Mr. Agnifilio and Mr. Intrater have attempted to finalize the engagement with VTB since the Court's order June 16, 2022. This past Monday, June 20, 2022, however, Brafman's financial institution provided its final position that it would not process any payments from Russia. Mr. Agnifilio and Mr. Intrater are currently exploring options with another financial institution to accept payment, and VTB has also reached out to a different law firm to see if they would be able to accept the engagement. That law firm is considering the engagement now.

LATHAM & WATKINS LLP

Accordingly, to allow VTB to finalize the engagement with either Brafman or a different law firm, VTB respectfully requests a two-week extension for its new counsel to enter its appearance, until July 7, 2022. This is VTB's third request for an extension of this nature. VTB appreciates and acknowledges the Court's patience with these requests, and wishes to emphasize its continued desire to participate and defend itself in this litigation, once it has counsel to represent its interests.

Plaintiffs oppose the requested extension of time, for the stated reason that "the continued delay prejudices [their] ability to timely pursue necessary discovery from VTB."

Respectfully submitted,

/s/ Christopher R. Harris
Christopher R. Harris

cc: All Counsel of Record (via ECF)